

Notice of Allowability

Application No.

10/069,330

Examiner

Stefan Staicovici

Applicant(s)

FEENSTRA, FRITS KORNELIS

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 12/20/2004.
2. ☒ The allowed claim(s) is/are 1-6, 8-11 and 13-14 (now renumbered as 1-12).
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 2/22/05.
7. ☒ Examiner's Amendment/~~Comment~~
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other see interview 2/22/05.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed December 20, 2004 has been entered. Claims 1-2 and 4 have been amended. Claim 7 has been canceled. New claim 13 has been added. Claims 1-6 and 8-13 are pending in the instant application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Michael Mercanti on February 22, 2005.

The application has been amended as follows:

- claim 1 has been amended as follows:

1. (Currently amended) A method for fabricating a functional dental element using a three-dimensional printing technique, comprising:

applying [wherein] successive layers of a flowable mass of [comprising] a curable, [and] nanomeric material [are applied] onto each other using an inkjet method, and

[wherein the] bonding between the layers [is realized] by curing the curable, [and] nanomeric material with UV light.

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- in claim 3:

- on line 2, after "the", "laser" has been replaced with --optical scan--;

- claim 12 has been canceled without prejudice to Applicant filing one or more divisional applications;

- new claim 14 has been added:

14. (New) The method of claim 1, wherein the flowable mass further includes a colorant.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: the prior art does not teach or suggest a process for making a functional dental element using a three-dimensional printing technique including, applying successive layers of a flowable mass of a curable, nanomeric (particle size less than 200 nm) material onto each other using an inkjet method, and bonding between the layers by curing the curable, nanomeric material with UV light.

It is noted that due to the usage of the term "comprising," which is inclusive or open-ended, the claimed process may include additional steps of adding functional additives, such as colorants.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael P. Colaianni, can be reached on (571) 272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


STEFAN STACOVICI, PHD
PRIMARY EXAMINER
AU 1732 3/1/05

AU 1732

March 1, 2005